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SUBJECT: JORDANIAN STATE SECURITY COURT PLOWS AHEAD WITH
ANTI-U.S. TERRORISM CASES

REF: A. 03 AMMAN 7813

[1](#)B. 03 AMMAN 8021

SUMMARY

[1](#)1. (U) The Jordanian State Security Court this month proceeded with a number of ongoing trials involving anti-U.S. terrorist plots. The prosecution in the Foley assassination case concluded its presentation on January 20 with a call for the death penalty against the accused killers. Government psychiatrists on January 15 told the court that a suspected Ansar al-Islam/al-Qa'ida suspect is fit for trial for his role in plotting anti-U.S. attacks in Jordan. The court in mid-January heard defense witnesses allege torture in the case of local extremist Mohammad al-Shalabi (aka Abu Sayyaf) who, along with 12 others, is charged with plotting attacks against U.S. targets in Jordan. In addition, the court on January 21 opened the retrial of 28 suspects in the millennial plot of December 1999 to determine if the accused should have been included in an earlier royal amnesty. The Court this month initiated two new anti-U.S. terrorism cases.

One involves two Iraqis arrested by Jordanian authorities last October for planning anti-US attacks. Separately, three Jordanian militants -- including the nephew of al-Qa'ida lieutenant Abu Musab al-Zarqawi -- are on trial for planning operations against American and Israeli tourists in Jordan. End Summary.

PROSECUTION CALLS FOR DEATH FOR ACCUSED FOLEY KILLERS

[1](#)2. (U) Jordanian State Security Court prosecutor Col. Mahmoud 'Ubaydat on January 20 wrapped up his case against 11 suspects in the October 2002 slaying of USAID official Laurence Foley, calling for the maximum penalty against the men -- death by hanging. The shooting was the first -- and only -- attack the men carried out as part of a wider plan to target American and Israeli interests in Jordan, according to the prosecution (see ref a for background).

[1](#)3. (U) During his final statement, 'Ubaydat lambasted the suspects: "The defendants have committed the most dangerous and ugly crime which targeted the security and stability of Jordanian society," he said. "They killed an American diplomat in the name of Islam, which is innocent of such people and their heinous crimes." On January 11, the judge rejected a defense request to summon 'Ubaydat and a top intelligence officer for testimony as part of their effort to prove the defendants' initial admissions of guilt had been extracted under duress.

[1](#)4. (U) The trial adjourned until February 15 when the defense will present its case. Seven of the suspects remain at large. The four in custody -- led by Libyan triggerman Salem Bin Suweid -- maintain their innocence.

ANSAR AL-ISLAM SUSPECT DEEMED FIT TO STAND TRIAL

[1](#)5. (U) Three government psychiatrists who in October examined Ahmad Mahmud al-Riyati, one of 15 Ansar al-Islam members charged with plotting subversive acts against U.S. and Jordanian targets, told the court on January 15 that they believe al-Riyati is fit to stand trial (see ref a for background). The doctors told the court that al-Riyati suffered from depression because of his incarceration, but he is "fit to stand trial and mentally capable of following the proceedings," according to press. Riyati is the only member of the group in custody; the remaining 14 are being tried in absentia. The trial will resume on January 25.

ABU SAYYAF DEFENSE WITNESSES ALLEGE TORTURE

[1](#)6. (U) Two prison inmates who shared a cell with Jordanian extremist Mohammad al-Shalabi (aka Abu Sayyaf), on trial for plotting attacks against U.S. targets in Jordan, testified on January 13 that they noticed torture marks on the suspect (ref b). (Based on a request from his attorneys, the court had earlier referred Abu Sayyaf to the National Institute of

Forensic Medicine for evaluation, which determined that he had not been tortured.) They also testified that Abu Sayyaf had told them he did not know any of the other 12 suspects in the case (three of whom are being tried in absentia). The testimony of the two prisoners -- who are accused of separate subversive acts -- concluded the defense's presentation and paved the way for the prosecution to begin presenting its case on January 28.

MILLENNIAL PLOTTERS ON TRIAL, AGAIN

17. (U) The State Security Court on January 21 began the retrial of 28 men for their involvement in a December 1999 plot to attack tourist sites and U.S. and Israeli targets during the millennial celebrations in Jordan. The court previously convicted and sentenced six of the men to death, levied prison sentences on 16 (including eight in absentia), and acquitted six others. The Cassation Court, which has been reviewing the case for the past two years, recently overturned the lower court's verdict, requiring the Security Court to consider whether the suspects should have been included in a 1999 Amnesty. The court adjourned until February 11.

IRAQIS ACCUSED IN ANTI-US PLOT

18. (U) Separately, two Iraqis accused of plotting attacks against U.S. and Israeli interests in Jordan pleaded innocent to the charges during their first court appearance on January 11. A third Iraqi suspect remains at large. The three are charged with importing, transporting and possessing weapons and conspiring to carry out terrorist attacks against unspecified U.S. and Israeli targets.

19. (U) Jordanian security officials arrested the suspects, Ahmed Mohammed Ali Ayed, 26, and Lawrence Hamid Rashid Muhanna, 28, on October 12, 2003 when police stopped their vehicle -- with the weapons concealed inside -- at a roadblock west of Amman. Authorities continue to search for Muhanna's brother Muawiyah, who is being tried in absentia.

10. (U) According to the indictment, Muhanna is the mastermind who purchased the weapons in Iraq and maintained contact with a Jordanian man identified as Abu Ali, who agreed to the plan of carrying out "military operations against Israeli and American interests on Jordanian land." Muhanna arrived in the southern Jordanian town of Ma'an from Iraq on October 9. Muhanna's fugitive brother dispatched the concealed weapons to his brother via Ayed, a truck driver who smuggled them into Jordan on October 10. Ayed received USD600 to smuggle the weapons. Muhanna then telephoned Abu Ali and agreed to deliver the weapons to him on October 12, when the vehicle was stopped.

ZARQAWI'S NEPHEW APPEARS BEFORE COURT

11. (U) On January 11, the same court heard testimony of prosecution witnesses in the case of three Jordanian militants arrested in May 2003, including the nephew of al-Qa'ida lieutenant Ahmad Fadil Nazzal al-Khalayleh (aka Abu Musab al-Zarqawi), who are accused of planning attacks in Jordan. The three men, Omar Khalayleh, Hamza Momeni, and Ayman Khawaldeh, pleaded not guilty when their trial opened on December 16.

12. (U) A prosecution witness testified that one of the suspects had guided police to the spot where he had hidden two pistols in preparation for future operations against American and Israeli tourists in Jordan, local security officers, and liquor stores. According to the indictment, Zarqawi recruited the cell in November 2002 and urged them to "carry out operations against American and Jewish tourists" in Jordan, including possibly the historic city of Ajloun, northwest of Amman. They also are accused of plotting to kill a top Jordanian intelligence official, according to press reports.

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